

111TH CONGRESS
2D SESSION

S. 3670

To establish standards limiting the amounts of arsenic and lead contained
in glass beads used in pavement markings.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2010

Mr. SPECTER (for himself and Mr. CASEY) introduced the following bill; which
was read twice and referred to the Committee on Environment and Public
Works

A BILL

To establish standards limiting the amounts of arsenic and
lead contained in glass beads used in pavement markings.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Highway Mark-
5 ings Act of 2010”.

1 **SEC. 2. STANDARDS LIMITING THE AMOUNTS OF ARSENIC**
2 **AND LEAD CONTAINED IN GLASS BEADS**
3 **USED IN PAVEMENT MARKINGS.**

4 (a) AMENDMENT.—Chapter 3 of title 23, United
5 States Code, is amended by adding after section 329 the
6 following new section:

7 **“§ 330. Standards limiting the amounts of arsenic and**
8 **lead contained in glass beads used in**
9 **pavement markings**

10 “(a) STANDARDS.—

11 “(1) IN GENERAL.—Subject to paragraph (2), a
12 State that receives funds under this title shall en-
13 sure that each glass bead used in pavement mark-
14 ings, on or along any road or highway, does not con-
15 tain more than 200 parts per million arsenic or lead,
16 as determined in accordance with the testing meth-
17 ods of the Environmental Protection Agency num-
18 bered 6010C and 3052.

19 “(2) FAILURE TO COMPLY.—If a State does not
20 substantially comply with any requirement under
21 paragraph (1) throughout fiscal year 2011 or any
22 subsequent fiscal year, the Secretary of Transpor-
23 tation, acting through the Administrator of the Fed-
24 eral Highway Administration, shall withhold up to 5
25 percent of the amount required to be apportioned to
26 the State under paragraphs (1), (3), and (4) of sec-

1 tion 104(b) on the first day of the following fiscal
2 year.

3 “(3) AVAILABILITY FOR APPORTIONMENT.—An
4 amount withheld under this section from appor-
5 tionment to a State after September 30, 2011, is not
6 available for apportionment to the State.

7 “(b) DEFINITIONS.—In this section:

8 “(1) GLASS BEAD.—The term ‘glass bead’
9 means a transparent spherical glass manufactured
10 to be highly resistant to traffic wear and used in
11 pavement markings to provide retroreflective prop-
12 erties when viewed at night with motor vehicle head-
13 lights.

14 “(2) PAVEMENT MARKING.—The term ‘pave-
15 ment marking’ means a system composed of pig-
16 mented binders that is applied to the pavement sur-
17 face to convey guidance, regulations, or warnings to
18 motorists.”.

19 (b) CONFORMING AMENDMENT.—The chapter anal-
20 ysis for chapter 3 of title 23, United States Code, is
21 amended by adding at the end the following:

 “330. Standards limiting the amounts of arsenic and lead contained in glass
 beads used in pavement markings.”.

1 **SEC. 3. EFFECTIVE DATE.**

2 This Act and the amendments made by this Act shall
3 take effect 90 days after the date of the enactment of this
4 Act.

